

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

C.A.NO.2594 OF 2007 IN F.A.ST. NO.11217 OF 2007

Office notes, office Memoranda
of Coram, appearance, Court's
orders or directions and
Registrar's orders.

Court's or Judge's orders.

Mr.J.J.Xavier for the Applicant.

CORAM: A.S.OKA, J.
DATE : 21ST SEPTEMBER, 2007

P.C.

1. Heard Advocates appearing for the parties. Application is strongly opposed by the respondent by pointing that there is no explanation for delay of 399 days.

2. In view of the averments made in the application, sufficient cause is made out. However, respondent will have to be compensated by ordering payment of costs.

3. Hence, Rule is made absolute in terms of prayer clause (a) subject to applicant paying costs of Rs.1500/- to the respondent within a period of six weeks from today. Payment of costs will be condition precedent.

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(A.S. OKA, J.)